

HOUSE BILL 692
By Lynn

AN ACT to amend Tennessee Code Annotated, Title 55, Chapter 10, Part 4 and Title 55, Chapter 50, relative to the offense of driving under the influence of and intoxicant and the punishment for and consequences of such offense.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-10-403, is amended by deleting subsection (b)(1) and substituting instead the following:

(b)(1) No person charged with violating the provisions of § 55-10-401 shall be eligible for:

(A) Suspension of prosecution and dismissal of charges pursuant to the provisions of §§ 40-15-102 - 40-15-105 and expunction of records pursuant to §§ 40-32-101(a)(3)-(c)(3);

(B) Any other pretrial diversion program;

(C) Suspension of sentence or probation pursuant to § 40-35-303; or

(D) Any other provision of law authorizing suspension of sentence or probation until such time as such person has fully served day for day at least the minimum sentence required by this section.

SECTION 2. This act shall take effect July 1, 2005, the public welfare requiring it.